

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MMP CAPITAL, INC.,

Plaintiff,

-against-

MEMORANDUM AND ORDER

PUNYAKAM, PLLC D/B/A AVISTAMED
FAMILY MEDICINE and PUNYA RAMAN
GAMMAGE,

Case No. 2:20-cv-1755

Defendants.

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BLOCK, Senior District Judge:

On May 31, 2022, the Court adopted in full Magistrate Judge James M. Wicks's Report and Recommendation ("R&R") recommending that default judgment be granted in part and denied in part for plaintiff MMP Capital, Inc. ("MMP"). *See* ECF No. 21 at 1. The R&R also recommended that MMP be awarded attorneys' fees and costs "at a reasonable rate to be determined upon supplemental submission". *Id.* at 15-16. MMP has filed sufficient supplemental information supporting their request for attorneys' fees. The Court finds that the requested rate is reasonable and grants attorneys' fees and costs in the amount of \$13,494.37.

MMP's counsel in this matter seeks reimbursement for \$12,309.50 in hourly legal and professional fees and \$1,184.87 in costs and disbursements related to this matter. As correctly reasoned in the R&R, the prevailing party in this breach of contract action is entitled to reimbursement for attorneys' fees if the request for fees is supported by contemporaneous time records that specify the date, number of hours worked, and nature of the work performed. *See LG Cap. Funding, LLC v. Wowio, Inc.*, 16-CV-6632 (AMD), 2018 WL 3202077, at *10 (E.D.N.Y. Apr. 24, 2018) (internal quotation marks and citation omitted), *report and recommendation adopted by* 2018 WL 2224991 (E.D.N.Y. May 15, 2018).

The attorney with primary responsibility for this matter billed at a rate of \$360.00 per hour. This rate is within the reasonable range in this district. *See Trustees of Empire State Carpenters Annuity, Apprenticeship, Labor-Management Cooperation, Pension and Welfare Funds v. C.M.K. Contracting Inc.*, 13-CV-7005 (ADS), 2015 WL 1198609, at *14 (E.D.N.Y. March 14, 2015). Counsel supported its request with a supplemental submission detailing contemporaneous billing records that verify the date that work was completed, the nature of the work, and time spent on that work. *See* ECF 22 at Ex. A. Therefore, the Court finds that the requested attorneys' fees and costs are reasonable.

CONCLUSION

For the foregoing reasons, the Court directs attorneys' fees and costs in the amount of \$13,494.37 to be paid to MMP's counsel and directs the Clerk to amend judgment accordingly.

SO ORDERED.

/S/ Frederic Block
FREDERIC BLOCK
Senior United States District Judge

Brooklyn, New York
June 15, 2022